

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION V

US EPA RECORDS CENTER REGION 5



483379

IN THE MATTER OF:

TOTAL PETROLEUM, INC.
EAST SUPERIOR AVENUE
ALMA, MICHIGAN 48802

NOTICE OF NONCOMPLIANCE

Notice is hereby given that you are in violation of the polychlorinated biphenyl (PCB) recordkeeping regulations, 40 CFR Part 761, promulgated pursuant to the Toxic Substances Control Act (TSCA), 15 U.S.C. Section 2614..

On February 7, 1985, representatives of the United States Environmental Protection Agency (U.S. EPA) conducted an inspection of the above-referenced facility. During that inspection, the inspectors observed that the company failed to develop and maintain an annual document for its one PCB transformer and at least six PCB large capacitors for each of the calendar years 1978 through 1983. 40 CFR § 761.180(a) requires that the owner or operator of one or more PCB transformers develop and maintain records on the disposition of the PCB items. These records shall form the basis of an annual PCB document prepared for each facility by July 1, covering the previous calendar year. Failure to develop and maintain an annual document for each of the calendar years 1978 through 1983 is a violation of 40 CFR § 761.180(a).

This Notice of Noncompliance is issued by the U.S. EPA in lieu of further action at this time provided these violations will be promptly

corrected. Within thirty (30) days of receipt of this Notice of Noncompliance, Total Petroleum, Inc., must submit a written, certified statement that the violations of the PCB regulations have been corrected. Failure to correct the violations and to submit such a statement may cause the U.S. EPA to proceed with additional enforcement action as provided in TSCA, 15 U.S.C. Section 2601, including possible imposition of civil penalties.

William H. Sanders III
William H. Sanders III, P.E.
Director, Environmental Services Division
U.S. Environmental Protection Agency
Region V

Dated: 5/24/85